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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 5492/2017

MAHENDER KUMAR GOEL & ANR Petitioners

Through **Mr. Anil Kumar, Advocate.**

versus

STATE (GOVT OF NCT DELHI) & ANR Respondents

Through **Mr. Akshay Malik, APP for the**
State.

SI Mr. Sumit Thakran, PS Bhalswa
Dairy.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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23.01.2018

Crl.M.A. 21354/2017 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 5492/2017

1. The petitioners, by the present petition, seek quashing of FIR No.235/2016 under Sections 279/354/354-A/34 IPC, Police Station, Bhalswa Dairy, registered on the complaint of respondent No.2. It may be noticed that the said FIR is a cross-FIR to FIR No.314/2016 under Sections 406/467/471/420 IPC, Police Station Bhalswa Dairy filed by the petitioner No.1 only against the respondent No.2.

2. Parties have settled their disputes and a quashing petition being CRL.M.C. 5514/2017 titled *Seema Gupta vs. State & Anr* was filed seeking quashing of cross FIR No. 314/2016. It is contended that the said petition has been allowed and the cross-FIR has already been quashed. Parties have

entered into a settlement agreement through the process of mediation at Rohini Courts, Delhi.

3. The respondent No.2, who is present in person and is identified by the Investigating Officer confirms that the parties have settled their disputes and that she has also received the payment of Rs.13,00,000/-, as agreed between the parties. She confirms that she does not wish to prosecute the criminal proceedings any further.

4. In view of the above and keeping in view of the fact that the parties have resolved their disputes and respondent No. 2 does not wish to press her complaint, and in view of the fact that the cross-FIR registered by petitioner No.1 against respondent No.2 has already been quashed, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. It would be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

5. In view of the above, the FIR No.235/2016 under Sections 279/354/354-A/34 IPC, Police Station, Bhalaswa Dairy and the consequent proceedings emanating therefrom are quashed.

6. Order *Dasti* under the signatures of the Court Master.

SANJEEV SACHDEVA, J

JANUARY 23, 2018
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